

Overtime Security *Amicus* Program

The Department of Labor has issued new overtime security rules under Part 541 of the Fair Labor Standards Act that guarantee and strengthen overtime rights for more American workers than ever before. The current white-collar overtime provisions of the Fair Labor Standards Act, 29 U.S.C. 213(a)(1), have not been substantially updated for over 50 years - creating confusion for workers and employers, failing to protect workers' pay rights, and generating needless litigation. The Department's new, clearer overtime security rules will help to ensure that employees understand their rights, that employers understand their legal obligations, and that the Department is able effectively to enforce the law.

The Office of the Solicitor will work to ensure that the new rule is implemented in a way that provides clearer, stronger overtime protection for America's workers. The Department's overtime security amicus program allows interested parties to inform it of private cases involving the misclassification of employees in contravention of the new Part 541 rule. Upon being informed of such cases, the Solicitor's Office will carefully review them to determine whether the filing of an amicus curiae ("friend of the court") brief is warranted. Such amicus briefs will allow the Solicitor's Office in appropriate cases to share with courts the Department's view of the proper application of the new Part 541 rule.

If you are aware of a case involving application of the Part 541 "white collar" exemptions that may warrant involvement of the Solicitor's Office, please call (202) 693-5555 or send an e-mail to [Contact Us](#). You may also write to:

Department of Labor
Office of the Solicitor
Fair Labor Standards
200 Constitution Ave., NW
Room N 2716
Washington, DC 20210



For more information on the new Part 541 white-collar overtime security regulations, visit the [FairPay Web site](#).

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